

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 518 - HB 1700

March 2, 2009

SUMMARY OF BILL: Creates statutory good faith exception to the constitutional exclusionary rule for searches and seizures in state court prosecutions.

ESTIMATED FISCAL IMPACT:

MINIMAL

Assumption:

- The Tennessee Supreme Court does not recognize a good faith exception to the exclusionary rule under the Tennessee Constitution. *State v. Carter*, 16 S.W.3d 762, 768 n.8 (Tenn. 2000). Since under Tennessee Supreme Court precedent the exclusionary rule is a constitutionally implied limitation, statutory codification of a good faith exception will have no impact and will result in no change in the admissibility of evidence.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White".

James W. White, Executive Director

/lsc

SB 518 - HB 1700